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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 WESLEY LYLE FINGER,

12 Plaintiff,

13 v.

14 COMMISSIONER OF SOCIAL
15 SECURITY,

16 Defendant.

No. 2:21-cv-802-KJN

ORDER GRANTING IFP AND
DIRECTING SERVICE

(ECF No. 2)

17 Presently pending before the court is plaintiff's motion for leave to proceed in forma
18 pauperis. See 28 U.S.C. § 1915 (authorizing the commencement of an action "without
19 prepayment of fees or security" by a person that is unable to pay such fees).¹ (ECF No. 2.)
20 Plaintiff submitted the required affidavit, which demonstrates an inability to prepay fees and costs
21 or give security for them. Accordingly, IT IS HEREBY ORDERED that:

- 22 1. Plaintiff's request to proceed in forma pauperis (ECF No. 2) is GRANTED;
23 2. The Clerk of the Court is directed to serve a copy of this order on the United States
24 Marshal;
25 3. Within 14 days from the date of this order, plaintiff shall submit to the United
26 States Marshal (501 I St., 5th Floor, Sacramento, CA 95814) an original and five


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28 ¹ Actions involving review of Social Security decisions are referred to a magistrate judge pursuant to 28 U.S.C. § 636(b)(1) and E.D. Cal. L.R. 302(c)(15).

1 copies of the completed summons, five copies of the complaint, and a completed
2 USM-285 form, *and shall file a statement with the court that such documents have*
3 *been submitted to the United States Marshal;*

4 4. The United States Marshal is directed to serve all process without prepayment of
5 costs not later than 60 days from the date of this order. Service of process shall be
6 completed by delivering a copy of the summons, complaint, and scheduling order
7 to the United States Attorney for the Eastern District of California, and by sending
8 two copies of the summons and complaint by registered or certified mail to the
9 Attorney General of the United States at Washington, D.C. See Fed. R. Civ. P.
10 4(i)(1)(A) & (B). The Marshal shall also send a copy of the summons and
11 complaint, by registered or certified mail to the Commissioner of Social Security,
12 c/o Office of General Counsel, Region IX, 160 Spear Street, Suite 800, San
13 Francisco, CA, 94105-1545. See Fed. R. Civ. P. 4(i)(2). *The United States*
14 *Marshal shall thereafter file a statement with the court that such documents have*
15 *been served; and*

16 5. The parties are hereby notified that, after service of the complaint, this action will
17 be STAYED pursuant to General Order Number 615, and there will be no
18 scheduling order or deadlines in effect pending further order of the court. See E.D.
19 Cal. G.O. No. 615, Paragraphs 6, 10.

20 Dated: May 5, 2021

21 
22 KENDALL J. NEWMAN
23 UNITED STATES MAGISTRATE JUDGE

24 fing.802